

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTIETH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO : 4580 of 1997

Between:

G.Gunasekhar, S/o. G.Munirathnam Naidu,
R/o. H.No. 11-259, MBT Road, Palamaner,Chittoor Dist.

..... PETITIONER

AND

1 Government of AP, Rep.by its Secretary, Revenue (ASN.4)
Department,Secretariat Buildings, Hyderabad.
2 The District Collector,
Chittoor.
3 The Deputy Executive Engineer (R&B),National High Way, Palamaner,Chittoor
Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus declaring the action of the 3rd respondent in interfering with the possession and enjoyment of the petitioner over the land admeasuring 210 Sq. yards in survey, No. 305 of palamaner, as illegal, arbitrary, motivated, improper and unjust .

Counsel for the Petitioner:MR.P.GANGAIAH NAIDU

Counsel for the Respondents: GP FOR REVENUE

The Court made the following :

ORDER:

Heard the learned counsel .

This writ petition is filed for writ of mandamus declaring the action of the third respondent in interfering with the possession and enjoyment of the petitioner over the land admeasuring 210 square yards in survey No.305 of Palamaner, as illegal,arbitrary and pass other suitable orders.

This Court in WPMP No.5514 of 1997 granted interim direction not to interfere with the possession and enjoyment of the petitioner over the said land.

It is represented that no notice was issued.

In the facts and circumstances of the case, it is directed not to disturb the possession of the petitioner relating to the property referred to supra except by due process of law. It is made clear that the respondents are at liberty to issue notice and initiate appropriate proceedings, if they desire to do so, in accordance with law.

The Writ Petition is disposed of accordingly. No costs.

20-12-2004

Stp

To:

- 1 The Secretary Revenue, Revenue (ASN.4) Department, Government of A.P., Secretariat Buildings, Hyderabad.
- 2 The District Collector, Chittoor.
- 3 The Deputy Executive Engineer (R&B), National High Way, Palamaner, Chittoor Dist.
- 4.CCs to G.P. for Revenue, A.P.High Court Buildings,Hyd.(OUT).
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